

CITY COUNCIL MEETING
March 6, 2023
6:30PM, Temple Senior Center
MINUTES

Call to Order: The meeting was called to order at 6:30PM by Mayor Michael Johnson. All council members are present: Richard Bracknell, Hiley Miller, Casey Russom, Tom Wallace and Howard Walden.

Invocation and Pledge of Allegiance: led by Mayor Michael Johnson

Approve the published agenda of this date's City Council meeting, as presented: Council Member Bracknell made a motion to approve the agenda with the following changes: to omit items 7 & 8 (which will be discussed at a future meeting) and to add item #14 which will be regarding changing the date of the April regular Council meeting, second by Council Member Walden. Vote 5-0.

State of the City Address: Mayor Michael Johnson presented the State of the City Address

Approval of Minutes:

February 6, 2023 Council Meeting: There was a motion to approve the February 6, 2023 meeting minutes by Council Member Walden, second by Council Member Wallace. Vote 4-0.

February 16, 2023 Special Called Meeting: There was a motion to approve the February 16, 2023 meeting minutes by Council Member Walden, second by Council Member Wallace. Vote 4-0. (Council Member Bracknell abstained)

February 27, 2023 Special Called Meeting: There was a motion to approve the February 27, 2023 meeting minutes by Council Member Walden, second by Council Member Wallace. Vote 4-0. (Council Member Russom abstained)

Public Comments: Sharon Dyer- Vencill (45 Etheridge Rd.) was present to speak about item #2 under new business. Mayor Johnson explained that for that item, there would be a public hearing and she asked that she wait and speak during that time.

Announcements: N/A

Consent Agenda:

There was a motion to approve the consent agenda (items 1-4 listed below) by Council Member Bracknell, second by Council Member Miller. Vote 5-0.

1. Authorize the Mayor to sign an amendment to the City of Temple's current Agreement with GFL Environmental for solid waste collection and disposal services in order to implement a change in the current rate structure whereby as of Saturday, July 1, 2023, the rates will be: \$16.00 per month for residential services and \$6.00 per yard for commercial services, as well as roll off service rates of \$225.00 per haul and \$55.00 per ton.

2. Authorize the expenditure of America Rescue Plan Act (ARPA) funds on the City Hall Expansion Project in the future instead of funds authorized by the City Council from the City of Temple's 2021 SPLOST

(Special Purpose Local Option Sales Tax), as well as reimbursing with ARPA funds the City's 2021 SPLOST revenues previously expended on this City Hall Expansion project.

3. Accept the proposed new boundaries for the City of Temple's five City Council wards, as recently recommended by the Georgia General Assembly's Legislative and Congressional Reapportionment Office; and direct the City Clerk to schedule the required public hearing before a decision is made on the new proposed City Council boundary map and before an Ordinance is adopted by the City Council during its regular monthly meeting on Monday, April 3.

4. Approve a Special Event in downtown Temple on Sunday, March 19, for "Sage Patrick Day".

New Business

1. Hold a public hearing and then consider taking action on the request from Matt Caviness of Majestic Homes for the rezoning from R-6 (Single-Family Attached and Multi-Family Residential) to CG (General Commercial) of the 3.25-acre property at 102 Rocking D Road, being Tax Parcel T04 0060694, Land Lot 140, District 6

Mayor Johnson opened the public hearing and asked if the applicant was present. Matt Caviness, the applicant and owner of Majestic Homes & Renovations was present at the meeting. Mr. Caviness stated that he lives at 208 Abigail Lane in Temple, he is the owner of this property and the reason he is trying to convert it to commercial is pretty much for resale value. He stated he is under the impression that the City does not want any more R-6 housing, so he brought it to the board to try to work with the City as they continue to invest in the City. They want to work with the City, not against it. He explained that judging by the future land use map, it shows the whole area already trying to be converted to commercial and they would potentially be the only piece that is R6, so they would like to convert it to commercial as well.

Mayor Johnson asked is there were any questions from Council for the applicant. Council Member Walden asked if the property was currently for sale, and it was confirmed by Mr. Caviness that it is for sale. Mayor Johnson asked if there was anyone else that had comments regarding this request. Council Member Walden explained that this 3.25 acres was rezoned to R-6, probably 18-20 years ago and he believes the future land use map calls for it to remain R6, which is a good transition from commercial to residential. He stated that he doesn't really have a problem with it being re-zoned commercial, but he would like to see a ready user apply for re-zoning for it. Mr. Walden explained that with it being R-6 you can really only do apartments or townhomes and there is only room for a maximum of 19-20 units. He further explained that if it is rezoned general commercial tonight, he went through the zoning and counted at least 143 uses that it could be used for, some of which are not that desirable. He said those uses could have that many uses by right, without applying for any special permit. He again said he is not opposed to the commercial zoning he would just like to see a user for it because by right someone could put in an auto repair shop, an amusement arcade, a cell tower, adult entertainment, a drug paraphernalia shop, adult novelty shop, tire store, or pay by the week motel.

Mr. Caviness asked if he could comment back. He said he is not disputing this, but asked if the City has control over what goes in there? Does the City not have to approve what goes in there before starting construction, does the City have a say so to what goes in there? Mr. Walden said if it is by right, he doesn't think the City has a say.

City Attorney, Carey Pilgrim was present at the meeting via phone and confirmed that if it is by right, you don't have a say. He said he doesn't have the code, so he doesn't know if every use is by right. If it is permitted by right or by use, we would have to look it up on a case by case basis, but generally speaking if it is permitted by right, we don't have the ability to stop it. Mr. Caviness asked if it is kept as R-6 are there regulations in place that can stop section 8 or townhomes being built, are there any stipulations to prevent someone from building section 8 or low income housing which could bring more criminal activity in the area, which is what we are trying to prevent? City Attorney Carey Pilgrim stated that we can't make that kind of regulation on section 8 housing.

There were no further questions or comments. Mayor Johnson closed the public hearing.

Council Member Walden made a motion to deny the planning commission recommendation of rezoning Tax Parcel T04 0060694 from R-6 (Single Family Attached and Multi-Family Residential) to GC (General Commercial), second by Council Member Wallace. Vote 4-1, Council Member Russom is against.

2. Hold a public hearing and then consider taking action on the request from the City of Temple for the rezoning from R-1 (Single-Family Detached Residential) to G (Government District) of the 25.54-acre property at the southeast corner of Steadham Road and Oak Shade Road, being Tax Parcel T04 0060448, Land Lot 151, District 6.

Mayor Johnson opened the public hearing. He explained that this is a request from the City and asked if there were any comments from staff. There were none. He asked if anyone else was present to speak for or against this request:

Shannon Dyer-Vencill (45 Etheridge Rd) She explained that she is a landowner on Etheridge Road, this property is directly behind her residence. She asked why this is being requested now, and what project, if any is planned. Her concern is that the City barricaded Oak Shade Road from Bar J Road to Steadham, which has limited the access to their property. She stated this was done without any public notice and that they were never told about it. Her concern is what other change will the Mayor and Council do that could potentially affect them without allowing them any input.

Assistant City Administrator Lisa Jacobson explained that re-zoning this property is just a formality. Council Member Walden stated the property was purchased many years ago. Mayor Johnson further explained that when the property was purchased, the re-zoning never took place. Since the City owns it, it has to be re-zoned commercial. He said that it was his understanding, when the road was blocked that the citizens in the area were notified. Council Member Russom explained that part of the reason for closing the road was due to garbage being dumped there. Council Member Wallace stated there was a public hearing before it was closed and Council Member Bracknell explained that the County confirmed that they had contacted all of the residents by sending letters, there was a process of due diligence to make sure that everyone was aware.

Ms. Dyer-Vencill said that her spouse is retired and usually at home and no notification of the road closure was ever received. She also stated that they have concerns of their property being affected by this. Mayor Johnson explained that everything in the City will be discussed with the public. The road closure is a done matter, and the change in the zoning was delayed a number of years.

There was no one else present to speak for or against this request. The public hearing was closed.

There was a motion by Council Member Miller to re-zone tax parcel T04 0060448 from R-1 (Single-Family Detached Residential) to G (Government) second by Council Member Walden. Vote 5-0.

3. Special recognition by Mayor Johnson of the Temple High School graduates who received awards during the recent Carroll County Chamber of Commerce annual event.

Mayor Michael Johnson wanted to recognize the following Temple High School graduates who were recently honored at a Carroll County Chamber of Commerce event:

Connie Grimes Spruill

Donna Grimes Gribbs

Kristy Thompson Mindick

Russell Floyd

4. Authorize the renewal of the City of Temple's contract with VC3 for IT services.

There was a motion by Council Member Bracknell to renew the City's contract with VC3 for IT services, second by Council Member Miller. Vote 5-0.

5. Adopt the job description for the position of Corporal in the City's Police Department.

Council Member Walden asked if the actual job description was what was in the email. Assistant City Administrator, Lisa Jacobson explained those are the main functions and we will have to fill it in. There was a motion by Council Member Bracknell to approve the job description for the position of Corporal, second by Council Member Wallace. Vote 5-0.

6. Approve salary increases for four City employees in the Police Department, following their respective promotions by Chief Creig Lee.

There was a motion by Council Member Walden to approve the salary increases for four employees in the Police Department, second by Council Member Russom. Vote 5-0.

7. Report on the proposed budget for the City of Temple's receipt and expenditure of American Rescue Plan Act (ARPA) funds; discussion.

When the agenda was voted on, it was voted on to remove this item which will be discussed at a future date.

8. Adoption of a balanced budget for the City of Temple's American Rescue Plan Act (ARPA) funds.

When the agenda was voted on, it was voted on to remove this item which will be discussed at a future date.

9. Staff report on the start-up of the City of Temple's new Comprehensive Plan Steering Committee, including appointments to this committee; discussion of possible additional committee members, followed by some additional appointments to this Steering Committee.

Mayor Michael Johnson read the list of members who have been appointed to the Comprehensive Plan Steering Committee: Chief Lee, Deidra Walker, Howard Walden, Richard Bracknell, Gary Thomas, Matt Rhoden, Kaylan Thomas, Raj Joshi, Ingrid McKinley, Rick Scott, Joe Carden and Terron Bivins. Council Member Russom said that he has two additions that he would like to add to the committee: Coach Cory Nix and Alexis Perry.

There was a motion by Council Member Russom to add Cory Nix and Alexis Perry to the Comprehensive Plan Steering Committee, second by Council Member Walden. Vote 5-0.

10. An updated report concerning possible action by the City Council to replace the two Microsoft 2012 Servers at City Hall and the Police Department, with this discussion to include pricing and funding.

Assistant City Administrator Lisa Jacobson explained that the cost for each server would be approximately \$14,000-\$17,000. She said that the prices could be locked in when they go down; VC3 will be watching the pricing for us. The server for the Police Department could be more expensive; the funding for it will come from the Blue Line Account. The server for City Hall would come out of the general fund account.

There was a motion by Council Member Bracknell to replace the two servers with the funding for the Police Department server to come from the Blue Line account and the funding for the City Hall server to come from the General Fund account, second by Council Member Walden. Vote 5-0.

11. A presentation on Flock Safety by a company representative, followed by discussion and possible action.

A manager for Flock Safety was present at the meeting to discuss this product. He stated Flock makes investigative tools used in policing to provide unbiased data to solve and eliminate crime. The company began in 2017 and is based in Atlanta. They make license plate reading cameras and provide a searchable database that officers can use and work with other cities to track missing people, crime suspects, etc. They will repair and replace cameras at no charge. It was asked if the City could do a five year contract with this company. City Attorney Carey Pilgrim explained that ordinarily no and he suggested a contract with auto renewal provisions that the City has the option to get out of. Council Member Russom asked if this was required to go out to bid. City Attorney Carey Pilgrim said there is not a specific requirement to bid this kind of contract, but you could if that is what the Council wants to do. Assistant City Administrator Lisa Jacobson said that the funding could come from Blue Line.

There was a motion by Council Member Walden to go forward with the Flock Safety program pending attorney review and approval of the contract, second by Council Member Bracknell. Vote 4-1. (Council Member Russom opposed)

12. Monthly report from Finance Director Ken Abidde.

Finance Director Kenneth Abidde apologized for missing the last meeting, he had a family emergency. His report was included in the packet for the council committees meeting.

13. Monthly report by Sewer Treatment Plant Director Jimmy Jenkins.

Sewer Director Jimmy Jenkins' monthly report was provided in the packet for the last council committees meeting.

14. Date for April City Council Meeting

This item was added to the agenda at the beginning of the meeting. Because of spring break, it was recommended that the regular April City Council meeting be moved from April 3rd to April 10th.

There was a motion by Council Member Bracknell to move the April monthly Council Meeting from April 3rd to April 10th, second by Council Member Wallace. Vote 5-0.

Closing Comments:

Richard Bracknell- good job on the State of the City address

Executive Session, if needed: Mayor Johnson said there was a need for an executive session for personnel matters, with no action to be taken after.

There was a motion by Council Member Bracknell to go into executive session, second by Council Member Russom. Vote 5-0. The executive session began at 7:57PM.

There was a motion by Council Member Bracknell to come out of executive session, second by Council Member Walden. Vote 5-0.

Adjournment: There was a motion to adjourn by Council Member Bracknell, second by Council Member Walden. Vote 5-0. The meeting adjourned at 8:30PM.

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